S. HRG. 98-1285

DEPARTMENT OF DEFENSE SUPPORT FOR DRUG INTERDICTION

HEARING

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

UNITED STATES SENATE

NINETY-EIGHTH CONGRESS

SECOND SESSION

Printed for the use of the Committee on Appropriations

SPECIAL HEARING

DEPARTMENT OF DEFENSE
DEPARTMENT OF THE TREASURY
(U.S. Customs Service)

U.S. GOVERNMENT PRINTING OFFICE
40-658 O WASHINGTON : 1985

S181-33

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE ON DEFENSE

TED STEVENS, Alaska, *Chairman*

LOWELL P. WEICKER, JR., Connecticut
JAKE GARN, Utah
JAMES A. McCLURE, Idaho
MARK ANDREWS, North Dakota
ROBERT W. KASTEN, JR., Wisconsin
ALFONSE M. D'AMATO, New York
WARREN RUDMAN, New Hampshire
THAD COCHRAN, Mississippi
MARK O. HATFIELD, Oregon
(Ex Officio)

JOHN C. STENNIS, Mississippi
WILLIAM PROXMIRE, Wisconsin
DANIEL K. INOUYE, Hawaii
ERNEST F. HOLLINGS, South Carolina
LAWTON CHILES, Florida
J. BENNETT JOHNSTON, Louisiana
ROBERT C. BYRD, West Virginia
JIM SASSER, Tennessee

STAFF

DWIGHT E. DYER, RICHARD B. LADD, SUSAN E. SHEKMAR, WAYNE A. SCHROEDER, SEAN O'KEEFE, CHARLES J. HOUY, AND NORMA H. ANDERSON

MINORITY STAFF

EDWARD A. SWOBODA

CONTENTS

	Page
Department of Defense:	
Manpower, Installations, and Logistics	1
Opening statement of Senator Stevens	1
Opening remarks of Senator D'Amato	2
Prepared statement	3
Statement of Dr. Lawrence J. Korb	4
Prepared statement	5
Letter from	10
Statement of Lt. Gen. R. Dean Tice	12
Department of the Treasury:	
U.S. Customs Service	23
Statement of Neil Lageman	23
Submitted questions:	
Questions submitted by Senator D'Amato	31

DEPARTMENT OF DEFENSE SUPPORT FOR DRUG INTERDICTION

WEDNESDAY, NOVEMBER 14, 1984

U.S. SENATE,
SUBCOMMITTEE ON DEPARTMENT OF DEFENSE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 9 a.m., at One Federal Plaza, New York, NY, Hon. Ted Stevens (chairman) presiding.

Present: Senators Stevens and D'Amato.

DEPARTMENT OF DEFENSE

MANPOWER, INSTALLATIONS, AND LOGISTICS

STATEMENT OF DR. LAWRENCE J. KORB, ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER, INSTALLATIONS AND LOGISTICS

ACCOMPANIED BY LT. GEN. R. DEAN TICE, DEPARTMENT OF DEFENSE

OPENING STATEMENT OF SENATOR STEVENS

Senator STEVENS. Good morning.

We are here in New York today to conduct a Defense Appropriations Subcommittee hearing on cooperation by the Defense Department in the Government's increasing efforts to interdict illicit drug imports.

This subcommittee has long taken the position that the vast resources of the Defense Department should be available to the U.S. Customs Service and the Coast Guard to the maximum extent possible without interfering in the Department's primary mission. This has not always been the case in the past.

In many cases, it has required only improvements in coordination and communication to utilize the military training and reconnaissance missions in the drug interdiction effort. In other cases, cooperation in the form of shared equipment and expertise can do the job.

When it became evident last year that this kind of cooperation was not being fully exploited, this subcommittee recommended additional funding and direct instructions to the Department specifically to achieve a more effective and coordinated effort by all Government agencies concerned. We added $10 million to the Navy's flying hours budget, initiated what has become an effective test program with the Coast Guard to bring Navy hydrofoil ships into the Coast Guard drug interdiction program, and provided that a

total of six Navy P-3A control aircraft be equipped with F-15 intercept radars for transfer to the U.S. Customs Service. Finally, we asked the Army to transfer four Black Hawk helicopters to the Customs Service.

I might say that that was done specifically at the request of my good friend, Dr. Korb.

This year we continued this effort with more additional funding and we asked the Army to transfer six C-12 aircraft to the Customs Service along with two more Black Hawk helicopters from the Army. We stipulated that two of these Black Hawk helicopters should be for the Customs Service operation in this region of the country.

The White House has been working toward the same goal by supporting a more active role by the Defense Department in several ways. Coast Guard personnel are serving aboard Navy ships on maneuvers in the Caribbean and are available to board suspicious vessels. Air Force radars in the Caribbean are now jointly operated with Customs and Coast Guard personnel.

Navy and Air Force long range surveillance aircraft—E-2C's and AWACS—are now wired into the Customs communications channels to provide data on unidentified aircraft coming into New York, Gulf of Mexico, and southwestern areas of the United States.

The subcommittee conducted an earlier special hearing on this problem with special emphasis on the gulf coast last year. Largely because of the active interest expressed by Senator D'Amato, we are holding this hearing not only to review the overall drug interdiction cooperative effort but to examine the progress in the Northeastern United States.

I should add, parenthetically, that Senator D'Amato has been a key figure in all of the important developments I have just outlined. We would not be where we are today, I am convinced, without Senator D'Amato's leadership and innovation.

We have three principal witnesses today; Assistant Secretary of Defense, Lawrence Korb, Lt. Gen. Dean Tice, and Rear Adm. Daniel Murphy. We will ask them to present their opening statements to the committee. We will have some questions but first I will defer to Senator D'Amato and see if he has an opening statement.

OPENING REMARKS OF SENATOR D'AMATO

Senator D'AMATO. In the interest of time, I would ask that the committee accept my opening remarks as if read in their entirety. However, I would be remiss, Mr. Chairman, if I didn't say it is a pleasure for me to welcome you here—you have indeed been a true friend—to our State for this hearing. I know you agree with me that fighting drug abuse is as important to our Nation's security as any weapons system.

One of the most positive developments we have seen is the passage of a law 3 years ago, Mr. Chairman, which you are largely responsible for that now permits the military's resources to be used for the very first time to support our civilian drug enforcement agencies.

Under this new law, equipment can be provided so long as such support does not hurt our military preparedness.

Let me commend you for your leadership, for your activities, your stewardship of this most important subcommittee, and for utilizing that power and those resources to actively bring about this situation. And I think you can be proud of this administration in undertaking the battle against narcotics.

I thank you, Mr. Chairman. I thank our distinguished panelists and witnesses for taking time to be with us in this hearing.

Prepared Opening Remarks of Senator D'Amato

UNIFIED EFFORT TO CONTROL ILLEGAL DRUGS

While we are here today primarily to examine the role of the military in attacking drug smuggling, I want to stress at the outset that the war on drugs will never be won if we just make it a priority for the armed services or even for the government as a whole. This war must become "job one" for all of us.

Today's hearing is part of a series of hearings I have held, and will continue to hold, in New York, Washington, and around the country examining each phase of the drug problem. My next hearing on this topic in New York, to be conducted under the auspices of the Foreign Operations Appropriations Subcommittee, will examine U.S. diplomatic efforts to curtail international narcotics trafficking.

COORDINATION OF EFFORTS

Our efforts must be coordinated and must be comprehensive. We need a national effort to educate people about the harmful effect of drugs. Those who have never tried drugs must be persuaded not to start. We also must help those who have a drug problem to stop.

We need a criminal justice system that swiftly, effectively, and fairly punishes those who prey on the rest of us so they can obtain the money necessary to support their habits. We can no longer tolerate a system that turns drug dealers loose time and time and time again because prison space is inadequate or because judges are too lenient.

We must strip the drug kingpins of their bank accounts, their yachts, their ranches, their cars, and their business investments. We have to take the profit out of drugs.

U.S. FOREIGN AID AS EFFORT AGAINST DRUG TRAFFICKING

We have barely begun to use American foreign aid effectively as a weapon to fight the war on drugs. We need more aggressive efforts from the State Department to show that we will cut off foreign aid to any country that shows its contempt for us by not reducing its production and export of narcotics and dangerous drugs. It's time we showed the world we know who our real friends are.

We have had a few successes in each of these areas. For the most part, however, the effects of our efforts have yet to be felt by the American people as a whole. Drugs are still readily available on the streets and in schoolyards. Drug-related crime still accounts for between fifty and sixty percent of all crime, and 30 million Americans still fall victim to crime every year.

In New York, if you ride the subways in the off-hours, you do so at your own risk. The people have bars on their windows. They bolt their doors. They are prisoners in their own homes. They never really feel safe.

USE OF MILITARY IN WAR ON DRUGS

One of the most positive developments we have seen is the passage of a law three years ago, for which Senator Stevens is largely responsible, that permits military resources to be used, for the first time, to support our civilian drug law enforcement agencies. Under this new law, military information and equipment can be provided so long as such support does not hurt our military preparedness.

We are fortunate to have with us here today those most familiar with the way this law is being implemented: Assistant Secretary of Defense Lawrence J. Korb, Lt. Gen. Eugene Tice, and Niel Lageman.

USE OF RADAR PLANES BY CUSTOMS SERVICE

Before the Customs Service had any radar planes of its own to detect the thousands of boats and planes operated by drug smugglers, the Air Force was providing AWAC's and the Navy was providing E2–C radar planes for drug interdiction. Most recently, the Navy has turned over to the Customs Service a P–3 Orion radar plane for the detection of planes and boats smuggling drugs into the United States. At today's hearing, we will discuss the potential of these radar planes for drug interdiction.

Navy ships are now on alert for suspect vessels. Some carry Coast Guard law enforcement teams to board ships attempting to smuggle drugs into the United States. The Marines are also involved: They operate planes for night-time detection of drug smugglers.

The Air Force provides the Customs Service access to all information obtained from the combined Air Force/FAA Joint Surveillance System and the two radar balloons providing antismuggling coverage off the Florida Coast. We in New York are receiving two state-of-the-art Army Black Hawk helicopters to patrol the air and waters around New York City and Long Island. Eight of these helicopters are assigned to the Customs Service nationwide.

So, yes, we have made progress, but have a long, long way to go. I look forward to hearing our witnesses' suggestions for what additional support for drug interdiction the Armed Forces will be able to provide.

INTRODUCTION OF DR. KORB

Senator STEVENS. Thank you.

Dr. Korb.

Dr. KORB. Thank you.

Mr. Chairman, Senator D'Amato, it is a pleasure to be here.

I have a prepared statement that I would like to submit for the record.

Senator STEVENS. We will include it in the record as if it were read.

Dr. KORB. I would like to make a few short remarks in order to save time for questions that you might have.

DEPARTMENT OF DEFENSE TASK FORCE

This administration and the Secretary of Defense have committed the Department's full cooperation to the civilian law enforcement community.

In recognition of the importance of that support, I have organized, at the departmental level, our own task force in drug enforcement headed by Lt. Gen. Dean Tice, who was recalled to active duty specifically for that purpose, and he is here with me today. His mandate is to assure the Secretary and me that we are doing all that is feasible in helping the people charged with that primary responsibility.

DOD SUPPORT IN DRUG PROGRAM

All of our support is provided within the constraints of the reimbursement requirements of the law and title 10, U.S.C. 376 which says that assistance can be provided only if it does not affect the military preparedness of the Armed Forces.

The extent of that support includes, as you mentioned, a tremendous amount that I don't think people are aware of. For example, aircraft support such as Navy E–2C's, Black Hawk helicopters, AWACS, B–52's and C–130's. Coast Guard boarding parties are also embarked on some Navy vessels.

EQUIPMENT LOANS

Equipment loans range from sophisticated infrared night vision scopes to the sheriff in Florida to aircraft support from Army helicopters, Navy P-3's, and ground-based radars for Customs.

On November 7 of this year the Army delivered the fifth Blackhawk helicopter on loan to Customs. One additional Blackhawk is scheduled for delivery on or about December 18 of this year.

DOD-SUPPLIED PERSONNEL

We provide personnel. The Department has placed qualified technical people in six National Narcotics Border Interdiction System Regional headquarters. These personnel act as liaison officers. We have five military people assigned to the Customs office in the World Trade Center, a few blocks from here.

DEFENSE-SUPPLIED INFORMATION

We provide information. The Air Force grants Customs access to all information obtained from the combined Air Force/FAA joint surveillance system. Information from the balloon radars at Cape Canaveral base is always available to Customs.

I can assure the members of this subcommittee that every DOD decision to support civilian law enforcement is made only after we conclude that there is no readiness impairment.

I would now be happy to answer any questions you might have.

[Dr. Korb's prepared statement follows:]

PREPARED STATEMENT OF DR. LAWRENCE J. KORB

DOD SUPPORT FOR CIVILIAN ANTIDRUG EFFORTS

Mr. Chairman, other members of the Subcommittee, I am honored to appear before you today to discuss current Department of Defense support of civilian antidrug efforts.

The Defense Department is contributing to the anti-drug effort to the maximum extent possible under current law, and under the resource and military preparedness constraints with which we must abide. Before addressing the specific issues affecting our support to the civilian drug law enforcement community, let me put the DOD role in perspective by making a few preliminary remarks.

Under the legislation passed in December 1981, DOD provides Federal, state and local civilian law enforcement officials with information collected during the course of normal military operations, makes military equipment and facilities available, and provides training and expert advice.

This law expressly forbids direct participation by members of the Army, Air Force, Navy or Marine Corps in arrest and seizure activities, or in any other form of law enforcement—except, of course, where allowed under other statutory authority.

And finally, the considerations of military preparedness and reimbursement must affect all of our decisions. National security cannot be undermined as the Defense Department meets its other responsibilities under the law.

MILITARY ASSISTANCE TO CIVILIAN DRUG AGENCIES

With this legal framework in mind, I would like to outline the typical forms of major military assistance being given to civilian drug law enforcement agencies. Most of these forms of assistance have been provided in recent months and are continuing today.

The military assistance to date has been provided along all of our border regions, with the heaviest concentration in the South Florida and Gulf regions. Much of the DOD assistance has come from the Navy. Their E-2C radar squadrons are flying surveillance missions in support of Customs Service requirements. Some of this support in the Gulf of Mexico has come from a reserve E-2C squadron operating out of

New Orleans. Navy P-3 anti-submarine warfare aircraft support the Coast Guard in detection of traffickers in coastal as well as open ocean environments.

All Navy ships operating in coastal and nearby waters are continually vigilant in seeking suspect vessels. In the Florida Keys, a six-ship Navy hydrofoil squadron has proven to be especially useful in support of civilian law enforcement interdiction activities; fortuitously, the ideal training for their wartime mission is virtually a 'perfect fit' with the drug interdiction effort.

Some Navy vessels carry Coast Guard boarding parties, which are called TACLETS or Tactical Law Enforcement Teams. The reason for these TACLETS is twofold: first, as mentioned earlier, since DOD personnel may not become directly involved in interdiction operations, the TACLETS conduct actual boarding of suspect vessels; second, maritime law enforcement is the responsibility of the Coast Guard.

MARINE CORPS INVOLVEMENT

The Marine Corps has been operating OV-10D aircraft in conjunction with the Customs Service. Although relatively slow and low flying, these "Bronco" airplanes are equipped with forward-looking, infrared sensors. The so-called FLIR provides an aerial observer with exceptionally good nighttime vision, adding a long-needed technological improvement to the Customs Service effort.

AIR FORCE CONTRIBUTIONS

The Air Force is also playing a substantial role in assisting drug law enforcement efforts. In the Gulf region alone, Air Force C-130 aircraft have flown frequent overwater training missions which included collateral support of the drug enforcement community during the past few months.

B-52 aircraft on routine training flights add to the information base on suspect vessels. AWACS radar aircraft are also used quite extensively along the Southeast, Gulf, and Southwest border areas.

The Air Force has also been providing assistance to the Drug Enforcement Administration in the Bahamas. There, a twin-engine, night-capable, over-water helicopter unit has helped DEA and Bahamian authorities produce an impressive record of drug interdictions.

As you know, Mr. Chairman, one Air Force helicopter went down in the sea at the cost of the lives of three Air Force crew members and one DEA agent. Despite this tragic loss, we remain steadfast in our conviction to support the Bahamian authorities.

In addition to providing aircraft support, the Air Force has also signed agreements with the Customs Service granting them access to all information obtained in the combined Air Force/FAA Joint Surveillance System. In addition to this nationwide system of ground-based radars, the Air Force—with the cooperation of the Navy—has tied the balloon-borne radars at Cape Canaveral and in the Florida Keys into the Customs Service command center in Miami.

JOINT PROGRAMS WITH CUSTOMS SERVICE

The Customs Service and the Air Force are examining the possibility of collocating the Customs command centers in Air Force Regional Operational Control Centers at Tyndall Air Force Base, Florida, and March Air Force Base, California. This action would provide the Customs Service with direct access to the North American air defense command and control system.

The Army initially loaned the Customs Service eight helicopters, four Cobras, and four Black Hawks, and two fixed-wing Mohawk aircraft. Last week the Army delivered one additional Black Hawk helicopter. One more is scheduled for delivery on or about December 18th, bringing the total of Blackhawks for use by the U.S. Customs Service to six. These aircraft have proven to be invaluable in the interdiction effort.

TRAINING PROGRAMS

Two examples of Army initiatives in Arizona typify how slight modifications in training programs benefit both DOD and civilian drug law enforcement efforts. The United States Army Intelligence School at Fort Huachuca, Arizona, has been working hard to make training programs more realistic and meaningful to its students. Of particular concern was the training of Mohawk crews (pilots and image interpreters) and ground surveillance radar and sensor operators.

Traditionally, most of the training was given in the classroom with "hands-on" efforts limited to facilities on the installation or flight paths which would not be like those expected on future operational missions. After an intense study, the

Army Intelligence School implemented two initiatives that typify how slight modifications in existing training programs could significantly enhance DOD training programs and civilian drug and law enforcement efforts.

The first, entitled "Hawkeye," changed the flight path for Mohawk training flights. These training flights were flown on a loop north of Fort Huachuca. Hawkeye redesignated their flight paths to the south of the fort, where they have more utility in assisting Customs interdiction efforts. During these flights, scenarios more commensurate with actual operational missions are used. In addition to enhancing the realism of the training, the Army is able to provide valuable information to federal law enforcement authorities.

DEVELOPMENT OF IMAGE INFORMATION

A data base of image information has been developed. All collected information is compared to this data base and variances (such as new holes in fencing, increased usage of trails and roads, or alterations in terrain) are provided to appropriate law enforcement officials. Additionally, all aircraft crews are being trained to identify suspect low-flying aircraft penetrating U.S. air space and a dual channel reporting system has provided realtime information to Customs officials in Tucson.

GROUND HOG PROGRAM

The second program, called "Ground Hog," moved the training of ground surveillance radar (GSR) operators and sensor operators out of the classroom for a four-day field training exercise near Yuma Marine Air Station. Students follow a tactical scenario in emplacing GSR and sensor equipment looking for evidence of intrusion. Typical intrusion closely approximates the efforts of enemy forces infiltrating lines or crossing defended boundaries. Direct communication is maintained with interested drug law enforcement authorities to point them to the expected areas of intrusion. Additionally, the location is ideally suited for visual observation of low-flying suspect aircraft which is reported as well. This program provides about 160 days coverage of the designated area.

The Navy and the Air Force, working with the Customs Services and Lockheed, have configured a P-3A Orion aircraft with an Air Force F-15 (APG-63) radar system. If this system is effective in meeting Customs' needs, up to six P-3As could be similarly configured and loaned.

The Army is prepared to lend Customs six modified C-12A aircraft in accordance with the provisions of the fiscal year 1985 Appropriations Bill. However, the C-12D models must be delivered to the Army before the other aircraft are loaned to Customs.

In each of these cases I have just cited, the Customs Service would be responsible for organizing its own maintenance and support contracts.

NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM [NNBIS]

As you know, Mr. Chairman, the Administration's efforts to end drug smuggling are an added responsibility assigned by the President to the Vice President. On June 17, 1983, Vice President Bush announced the formation of the National Narcotics Border Interdiction System [NNBIS].

The highly successful South Florida Task Force served as the model and has become the blueprint for establishing similar NNBIS operations centers in New Orleans, El Paso, Long Beach, Chicago and New York.

The DOD has assigned highly qualified, technical people to these six NNBIS Centers to act as liaison officers. In January of this year, I established at the Departmental level our own Task Force on Drug Enforcement. I believe the combination of skilled civilian drug law enforcement officials and military personnel, working together in an ever-improving operational system, will enable our nation to wage a successful fight against illegal drugs.

FISCAL ASPECTS OF DOD ASSISTANCE

Because all of the missions undertaken in support of the drug interdiction program involve the expenditure of funds, I would like to mention the fiscal aspects of DOD assistance.

With respect to reimbursement, it is our policy to help civilian agencies in identifying the types of assistance that can be provided on a nonreimbursable basis. Most of the assistance we have provided since passage of the new legislation has not required reimbursement. This is because the support has been incidental to normal military operations, or we have otherwise obtained training benefits that are sub-

stantially equivalent to our own training programs. For example, Navy P-3 or Air Force B-52 flights which accomplish military training are provided on a nonreimbursable basis.

The legislative history of Public Law 97-86 repeatedly emphasized that the new legislation was intended to clarify existing practices of cooperation between the military and civilian law enforcement authorities which were already permitted by interpretations of the Posse Comitatus Act; and authorized the occasional use of military personnel to operate sophisticated equipment on loan to civilian drug law enforcement agencies.

It was not designed to transfer budgetary responsibility for civilian law enforcement functions from other agencies to the Department of Defense. To the extent that we do not obtain any direct training or operational benefits from the provision of assistance to another agency, and reimbursement would otherwise be required under the Economy Act, our directive requires reimbursement.

For example, in the straightforward loan of military equipment for use by a law enforcement organization to perform the mission of that agency, the Secretary of Defense has agreed to lend the U.S. Customs Service various types of equipment and has required only the reimbursement of marginal incidental costs.

In summary, the Defense Department is proud of its role in providing support to this worthy goal.

SUPPORT FOR PUBLIC DEFENSE OF DRUG PROGRAM

Senator STEVENS. Dr. Korb, I have been under the impression that there is firm support to the public defense for the program that we have undertaken as far as the policy level of the Department is concerned.

Is that correct?

Dr. KORB. That is certainly correct, Senator.

Senator STEVENS. Has there been any impact on the primary mission of the Department of Defense, which is our Nation's defense, by these activities?

Dr. KORB. No, sir, there has not been.

And I would like to point out to you that before we actually grant a request of an agency, we get the advice of the commanders and the Joint Chiefs of Staff to make sure that there is no impact on readiness.

Senator STEVENS. I know that Senator D'Amato has some questions, and I want to yield to him because we don't want to hold you up.

But I would appreciate it if you would keep the subcommittee informed if there are any areas that you feel that we could be of service in continuing the use of the defense resources in the interdiction of drugs without interfering with the primary mission of the Department of Defense.

Dr. KORB. I certainly will, Senator. Thank you.

Senator STEVENS. Senator D'Amato.

DEFENSE SECRETARY'S SUPPORT OF ANTIDRUG PROGRAM

Senator D'AMATO. Thank you, Mr. Chairman.

Mr. Secretary, I am wondering how Secretary Weinberger regards the scope and intensity of the Defense Department's support of our civilian law enforcement drug interdiction efforts?

Dr. KORB. The Secretary is an enthusiastic supporter of providing Department of Defense access to the maximum extent permitted by law.

I would like to point out to the committee that the 1981 Posse Comitatus law that modified DOD involvement—no sooner was

that passed than he had us moving in that direction. He supported the creation of the Task Force for Drug Enforcement and assisted in getting Lieutenant General Tice recalled to duty for the purpose of heading it.

UTILIZATION OF ORION AIRCRAFT

Senator D'AMATO. Would it be appropriate for me to ask you if you have this knowledge yourself, or maybe I should ask General Tice this question with respect to the utilization of the Orions as opposed to the E–2C's.

Is there still a possibility that we may go to E–2C's as opposed to the Orions?

I know we have one Orion operating, because we brought it up here for a demonstration.

Dr. KORB. First of all, you have the question of the P–3 with the F–15 radar which, with the help of Congress, we figure to loan to the Customs Service.

We are going to see how that works out, see if, in fact, Customs wants to get five more of those.

The E–2C's are our planes that we get requests in from the Customs to provide so many hours per month to aid civilian law enforcement in their drug interdiction efforts.

The P–3's of the Reserves have been used also in this particular effort.

Agencies ask us to perform a certain mission and we look at these assets. We have to provide any support in the most cost-effective manner, in a manner that will ensure training for the military crews.

I think you pointed out the different advantages. The E–2C's have certain advantages. The P–3 can stay up longer and it would depend upon the particular situation that we have been asked to help with.

GREATER DEFENSE COMMITMENT TO DRUG PROBLEM

Senator D'AMATO. Let me ask you, as you look into the future, are you prepared to commit higher levels of Defense resources to the problem?

Dr. KORB. We are prepared to do whatever we can within the constraints of the laws.

For example, we have technical know-how or management expertise that we can provide. As I mentioned, we have five military people right down here in Customs headquarters in the World Trade Center. We have helped Customs develop an operational evaluation plan for the P–3 aircraft which has been integrated with an F–15 radar.

We can help people buy into product lines, provided that the Congress provides the funding, and so other agencies can get these sophisticated planes like the C–12 and the Black Hawk helicopters.

We are happy to do what we can, provided, for example, if somebody asks us to do something that doesn't contribute to training, then obviously we have to ask for reimbursement. And if, in fact, the money is provided, then we are pleased to provide the support.

BUDGETING PROBLEMS ON WAR ON DRUGS

Senator D'AMATO. One last question in relation to funding the war on drugs. Incidentally, we have not had money problems to date, because the Secretary and yourself and the Joint Chiefs have committed themselves to this war on drugs.

But since this drug war is not a separate line item in anyone's budget, it does not have a high profile in the Department's Program Objective Memorandum or "POM" process.

Would you support the establishment of a separate internal Defense Department entity with budget authority of its own to plan for, program for, and budget for the Department's share of the war on drugs?

Dr. KORB. I think that that would be counterproductive unless we were given the responsibility for this effort, which I don't believe we should. I think right now you have it better because technically, all DOD line items are available for support.

For example, we contribute assets from our strategic programs, B-52's and AWACS, and conventional program, E-2C's, P-3's, Marine Corps OV-10 aircraft.

We, for example, have in the southwest changed the training of military personnel at Fort Huachuca so that they can, in the course of their training, actually try and see if anybody is trying to bring things into the country.

So what I think you have now is all of the items. I think if you went to one specific line item, then people would say you can only use that and that would not accomplish what we are trying to do.

Senator D'AMATO. Your basic feeling is that the law is being interpreted in such a way as to maximize armed service participation where appropriate?

Dr. KORB. I think so.

CORRESPONDENCE

I would like to, if I could, submit for the record the letter that I sent to the New York Post on this subject because they used an editorial which seemed to indicate that we were not doing very much, and when I wrote back to them explaining some of the things that we have pointed out today, I think they were very, very surprised to see exactly the extent to which our resources are already involved.

[The letter follows:]

LETTER FROM DR. LAWRENCE J. KORB

ASSISTANT SECRETARY OF DEFENSE

SEPTEMBER 19, 1984.

MR. BRUCE ROTHWELL,
Editorial Page Editor, The New York Post,
New York, NY.

DEAR SIR: Recently the Democratic nominee for President proposed a "new" plan to use the military to stop the flow of drugs into the United States (NY Post, Sep 14, 84). Perhaps it would interest your readers to know that the Department of Defense has a long history of significant contributions to civilian law enforcement agencies in the battle against illicit drug trafficking in the United States.

Federal Law encourages indirect military assistance to the growing effort to combat illegal drug trafficking. Navy E-2C radar aircraft squadrons, for example,

fly surveillance missions in support of the U.S. Customs Service. Navy P-3 anti-submarine warfare aircraft also support the Coast Guard in detecting traffickers.

Navy ships are vigilant in seeking suspect vessels on the high seas. Some Navy ships carry Coast Guard law enforcement personnel who board suspect vessels to make arrests.

The Marine Corps operates OV-10D aircraft in support of Customs which provides exceptionally good nighttime vision, adding a long-needed technological improvement to the Customs effort.

Air Force AWACS, C-130 and B-52 aircraft in routine training missions have added to the information base on suspect aircraft and vessels.

The Air Force also provides assistance to the Drug Enforcement Administration. In the Bahamas, a helicopter unit has transported DEA and Bahamian authorities who have produced an impressive record of drug interdictions.

The Air Force also granted Customs access to all information obtained in the Air Force/FAA Joint Surveillance System. Additionally, the Air Force—with the cooperation of the Navy—has tied balloon-borne radar in the Florida Keys and at Cape Canaveral into the Customs Service command center in Miami.

The Navy and the Air Force, working with Customs and Lockheed Corp., have configured a P-3A aircraft with an Air Force F-15 radar system. If this system is effective in meeting Customs' needs, five more P-3As will be similarly configured for interdiction support.

The Army has provided customs with eight helicopters, including four state-of-the-art Black Hawks. These aircraft have proven to be invaluable in the interdiction effort.

The President and this Administration are committed to eliminating the drug menace. Witness the establishment in 1982 of the South Florida Task Force to bring cohesion to Federal anti-drug efforts in that area and, at the national level, the creation of the National Narcotics Border Interdiction System in 1983.

The Secretary of Defense has committed the Department of Defense to supporting this effort while ensuring that our support does not impair military preparedness.

Sincerely,

LAWRENCE J. KORB.

USE OF AWACS AIRCRAFT

Dr. KORB. If you are talking about AWACS aircraft, you have the most sophisticated surveillance aircraft in the world actually used to detect people trying to fly illicit drugs into this country.

Senator D'AMATO. Mr. Chairman, I have no further questions. I know the Secretary has a plane to catch to China.

CONCLUDING REMARKS OF DR. KORB

Senator STEVENS. We are delighted that you took your time to be here. We want to encourage you to continue the approach that you have.

We look forward to hearing from General Tice, what he has done since he has been recalled, Mr. Secretary.

We do have to deal with this illicit drug trade in a very forceful manner and I think the Department of Defense has a great many facilities we are still not totally utilizing to conduct this war.

That's why we are going to continue these hearings and see if we can't get some suggestions as to how we might further involve the Department of Defense in this effort.

Dr. KORB. I want to thank you, Senator, for having me here today and to tell you that there is no stronger supporter of this effort than Secretary Weinberger and that he and I will continue to work with you to ensure that the resources of the Department of Defense are utilized to the maximum extent possible.

Senator STEVENS. Thank you, Dr. Korb, for coming in. We appreciate it.

Senator D'AMATO. Thank you.

INTRODUCTION OF GENERAL TICE

Senator STEVENS. Our next witness is Lieutenant General Tice. Good morning, General.

General TICE. Good morning, sir.

Senator STEVENS. Do you have a statement this morning that you would like to make or would you like to make some remarks before we ask questions?

RECALL OF GENERAL TICE TO ACTIVE DUTY

General TICE. I have no prepared statement. I would just like to make a short remark with reference to the position that I hold.

You may recall, sir, that I retired in August with almost 39 years of active duty, and Secretary Korb, in trying to improve the coordination effort of how the Department was going to assist the other Federal agencies, asked if I might come back on active duty to head up this office. Knowing what a challenge it is to our country, I said, yes, I would do that, sir.

So I came back on active duty in January 1984, and we have a streamlined operation wherein I report directly to Dr. Korb and the Secretary of Defense.

Senator STEVENS. We are delighted you have that willingness to come back, General, because your reputation goes before you, your long service in the Army.

I am certain that your efforts are important to our country.

We are trying to find out some of the facilities that have been made available and what facilities have not been available to these various task forces that have been operating in terms of the National Narcotics Border Interdiction System.

Are you now interfacing with that system?

ACTIVITIES OF OFFICE HEADED BY GENERAL TICE

General TICE. That is correct, sir.

I head the principal office that deals almost on a daily basis with the National Narcotics Border Interdiction System in the Office of the Vice President.

Senator STEVENS. One of those centers is here in New York?

General TICE. That is correct, sir.

Senator STEVENS. What is your function with regard to the New York center?

General TICE. My function is basically to provide military manpower.

We have five specialists assigned to that office who are there to work as a liaison and provide advice and assistance whenever requests come in to that office. They determine whether the Army, Navy, Air Force, or Marine Corps might provide that assistance on the spot. They help in giving information to civilian operations and really are there to provide, on a timely basis, some recommendations on how we might assist that office.

PERSONNEL REQUIREMENTS

Senator STEVENS. What personnel do you have directly available to you now?

General TICE. My staff is very small because I act as a coordinating office.

When we have specific questions, I make a judgment as to whether we should pass that on to the Air Force, the Navy, the Army, or the Marine Corps to provide that support.

We have points of contact both within the Secretariats of the Armed Forces, and within the staffs of Army, Navy, and Air Force. I can pick up the phone at any time and call them so that we can start things working on an expedited basis.

BUDGETING REQUIREMENTS FOR MISSIONS

Senator STEVENS. The work you do for the Department of Defense is incidental to your normal military function; is that correct?

General TICE. That is correct, although my-full time job is to head up this coordinating office.

Senator STEVENS. What I am getting at is the missions that you perform are really billed to or geared to training exercises or normal military function, they are not billed as civilian agencies, are they?

General TICE. No.

There are some exceptions where the civilian law enforcement agencies have asked us to assist in which we wouldn't obtain any training benefits. By law, we must be reimbursed for that assistance.

Senator STEVENS. Senator D'Amato.

NEED TO REDUCE DRUG EPIDEMIC

Senator D'AMATO. General, first of all, let me thank you for giving of yourself to this most important task. I don't think there is a more important task facing this nation. We can build a strong defense, and we can have the most sophisticated missile system and yet we see the continuing terrible impact of illegal drugs upon our youth, and the paralysis that sets in in our neighborhoods and communities as a result of the drug epidemic. It is not something to be taken lightly.

I believe over the years we have not actually addressed this problem. We are now becoming aware of the huge scope of the illegal drug problem and we are beginning to come to grips with it, but I think a lot more has to be done.

So I am particularly thankful when someone such as yourself comes back into the war, so to speak, on behalf of our Nation's fight against drugs.

One of the things that concerns me is whether or not law enforcement requests for military assistance are handled in a timely manner. For example, Customs has a suspected ship out there, and they want military surveillance assistance to track it and observe its behavior. I have been told that it takes some 3 months in ad-

vance of a requirement in order to get a request for military assistance processed and approved.

Is that true?

General TICE. We work with the NNBIS office for such requests. We have taken a look at our normal training schedules and determined that we can give 70 hours of E–2C time to support this mission, as well as four to six specially designated missions a month from the AWACS.

Since their normal training missions are fairly sophisticated, there is some lead-time necessary to make adjustments. But on a quarterly basis, we plan the training and operations to support these requests received from the NNBIS headquarters.

On the other hand, I think with a 12-hour alert we could probably divert some of those planned missions.

In some cases I have responded to immediate requests. For example, a mayor from a city called and indicated that they were having some real difficulty in obtaining shipment of biodegradable foam for riot control. They couldn't find any commercial airlines to fly it in.

I checked and we had an Air Guard plane flying on a training mission in that area. We asked them to drop down, pick up a load and deliver it.

The city reimbursed us for the one-way trip back, which we couldn't justify as training. We also receive immediate requests from time to time for infrared devices and night-seeing devices. We try to accommodate such requests.

CUSTOMS INVOLVEMENT IN P–3 MODIFICATION

Senator D'AMATO. Again, you agree with us that the Customs Service will be involved in the modifications of the P–3's? Should a Navy or a Customs program manager be involved actively in that?

General TICE. I think that the only thing that we have responded to on the conversion of the P–3 is working with Lockheed in the installation of the F–15 radar.

The Customs Service will have full responsibility to determine the method of operation, how it will be utilized. We provide only the technical assistance.

I think Customs is definitely in charge of that operation, sir.

Senator D'AMATO. I ask you, General, if you would look into that situation. As we see it, there should be, before the transfer of that aircraft is made, a Customs program manager or supervisor involved in the program so Customs feels that they can handle that equipment in the best manner possible after those modifications are made. I would appreciate anything you could do, and I think Customs would appreciate the opportunity to participate in the development effort, and it makes good sense to allow the ultimate users a voice in the development process.

NO SPENDING CAP ON DOD ACTIVITIES

General, in an October 1, 1984, letter, you reportedly indicated that there were no plans to lend aircraft to either agency beyond present levels or extend the no-cost assistance now provided DEA or to Customs.

Let me ask you—we are not really suggesting the Defense Department is placing a cap in its assistance to this war on drugs?

General TICE. Certainly not, sir.

That interview dealt with E–2C's and AWACS. I think that point was left out of the question in the letter.

The training derived from flying the AWACS in support of a drug interdiction mission is not as sophisticated as for our regular defense mission. But there are training advantages to be gained from flying those missions and that's the ones that we support.

In no way was my response intended to say that we have a cap and we don't intend to do more.

EXPANSION OF AIRCRAFT MISSIONS

Senator D'AMATO. So that 6 AWACS missions and 14 E–2C's missions may be even expanded further at some point in time?

General TICE. Right now the difficulty is, for example, the spares and the flying hours that we have programmed for the E–2C's. Some spares have a 2-year lead time.

Senator D'AMATO. They will need about that?

General TICE. Yes, for the maintenance and operation of the aircraft.

We determine the flying hours that we are going to fly those aircraft which determines how many spares need to be bought and how many personnel we need to man those aircraft.

The spares for support of those flying hours take anywhere from 6 months to 2 years' lead time in our supply system.

In other words, the items that we have in the budget provide for the support based on wear-out time for those aircraft 2 years hence.

QUESTIONS ON 2-YEAR LEAD TIME

Senator D'AMATO. Now that we have begun discussing this 2-year lead time, what do we anticipate in the future—will this lead time change?

Are we looking forward to increasing the level of spares available? Do we think that such an increase in spares is necessary? Do we think the current spares level is appropriate to accomplish the training for the personnel we devote to these missions? What I am looking for is an increased commitment, obviously, in terms of man-hours and time.

BUDGETING FOR RECONNAISSANCE FLYING HOURS

Senator STEVENS. Senator, would you yield for a moment? I think maybe the general needs a commitment from this subcommittee.

Twice now at your request, Senator D'amato, we added money to cover these unbudgeted but programmed reconnaissance flying hours, for instance.

We have made funds available for reimbursement of other Defense Department activities from the support of the Coast Guard.

I think we need to first state to the general a commitment that we will seek the funds to recover any moneys that are made avail-

able through your organization to make sure that the civilian agencies have the support they need.

With the assurance, I would like to have your answer to the Senator.

General TICE. Yes, perhaps with that assurance.

In some cases where there is significant lead time, there is no reason why we can't increase some of our support.

A good example, Senator D'Amato, is the two Blackhawks, which your committee, Mr. Chairman, funded in the fiscal year 1985 Appropriations Act.

Within 2 months we were able to take off the assembly line two additional Blackhawks, and one of them was transferred to the Customs on November 8 and the other one will be delivered by mid-December.

And we can do that, but we have to have the assurances and moneys budgeted and apporopriated in order to make those purchases.

I think there are advantages to the taxpayer in that we are already on board with the production line, and we buy the add-on to our procurement package. I think you get more of a discount than if you tried to buy that sophisticated aircraft directly.

INFORMATION ON BUDGETING

Senator STEVENS. It seems to me, General, you are in a position to give that information as a request comes to you from the civilian agencies for assistance.

As I said, it is unbudgeted, but activities that could be programmed, flying hours, steaming hours, whatever it is.

We can give you assurance that we will back you up by providing the money in the next available appropriations bill to cover that cost. But if it is equipment that has long lead time, we need some greater coordination in getting that information.

Both Senator D'Amato and Senator Hawkins have taken the lead in that area into the drug enforcement area. As far as our activity is concerned, there is Senator D'Amato on this subcommittee.

We would like to have that kind of information come to us. We are going to have another supplemental coming this spring sometime. We can't say exactly when.

But there is no reason if there is anything, a defect in terms of funding authorization in the past, why we can't take care of that this coming spring.

We would like to develop this relationship with your office so that we know what these agencies need. You will know it before any of the other people in the Defense Department, I think.

General TICE. Mr. Chairman, I would suggest also that in our early commitment to assist the U.S. Customs Service, the Drug Enforcement Agency and the U.S. Coast Guard, I would question the procurement of additional highly sophisticated pieces of equipment like we use in the Department of Defense. These may come at higher costs than perhaps an alternate civilian-produced type of aircraft. Such items might be purchased at lesser cost.

Senator STEVENS. But you can make available those facilities we already have in the Department of Defense. If you need more De-

partment of Defense dollars for the cost of this activity, we will give you more.

I do think that in the first instance the facilities that are already in the Department of Defense ought to be available and a mission ought to be established that would be compatible with the needs of the civilian agencies to the maximum extent possible.

General TICE. Yes; we do that.

For instance, on the Customs Service aircraft which we have loaned them, we have an interagency agreement where those aircraft are added on to the ongoing contracts that we have for the maintenance and operation of those aircraft. We then perform maintenance on those aircraft that Customs uses. So we were reimbursed for it; it is part of the contract.

Senator STEVENS. Go ahead.

FUNDING MEASURES TO ACCOMPLISH MAJOR PROGRAM POINTS

Senator D'AMATO. Mr. Chairman, I think that you make the point very well.

The first point is that with current levels of surveillance and the current level of training, we do not disrupt the normal course of Defense Department activities.

The second point, it would seem to me, would be for the Department to determine what additional number of hours could be reasonably provided and what the additional cost of these hours would be. The Congress could make available those moneys to the Defense Department to undertake enhanced anti-drug activities because, obviously, if the equipment is there, if the need for training is there, and if the merger of the two can be accomplished, the training as well as the interdiction, why then I believe we should commit those additional resources, General.

I am quite certain that the Congress would be willing to make those moneys available. We are increasing the Defense Department appropriations but it must be clearly understood that this increase really is to support an expanded effort designed to combat the drug flow into this country.

I am wondering if we couldn't ask you to make a search with respect to the requests that come into your Department? Have you received requests for assistance you cannot undertake now with the limited training license you have, requests that otherwise, with certain additional dollars, you might be able to undertake so that we can assist the drug enforcement agencies and the Customs Service?

General TICE. I would suggest, Senator, funding is not the total issue.

We are concerned that our assistance to the law enforcement agencies does not degrade our capability to fulfill our wartime missions and our peacetime preparedness mission.

I can give you an example. In one State where they used the aviation assets of the National Guard in an eradication program, they flew 600 hours which was almost the total training allocation for that National Guard unit for 1 year.

And that was good, except that the training derived, satisfied only about 35 percent of the requirements we have for military

personnel. The cross-country navigation night flying requirements were all that we fulfilled.

But there are other aspects of that training, like gunnery training, troop insertions, that we didn't satisfy.

So that's why we cautioned the National Guard. We don't want them to degrade their normal wartime training mission just to satisfy the civilian law enforcement agency request.

INVENTORY OF MILITARY ACTIVITIES TOWARD DRUG PROGRAM

Senator D'AMATO. It seems to me to be appropriate to conduct an inventory of what can be reasonably undertaken by the military. Then we should determine those deficiencies in border interdiction that still must be corrected.

We can reasonably provide those additional funds, whether it be to Customs directly, or to the DEA and those other agencies, so that we don't continuously have this question about why you aren't doing better.

I think, General, your explanation with respect to the National Guard, the use of it, the time allocated, and the fact that only a small percentage of the training mission was therefore accomplished, even though we used almost all of the hours, is reasonable. I certainly understand, I think my colleagues would, I think the media would, and I think the general public would.

INTERDICTION GOALS

Then the question is how we achieve our goal of interdiction? Where do we have to provide additional resources to complement the military efforts, et cetera. That becomes essential.

What we have to do is to get the Customs Service, DEA, and the other line civilian organizations who are involved in law enforcement together with the military and get a total catalog of what is necessary for good border interdiction.

It seems that if we can't stop the drug planes coming in, and we fear there may be 18,000 or 19,000, if someone could fly a little plane over here with regularity and not be detected, then something is seriously wrong.

Maybe that's an oversimplification on my part in terms of security assessment. I certainly suggest here that the Communist block nations are deeply involved in drugs. We have good evidence implicating both the Bulgarians and the Cubans.

We have held hearings and we have had former agents from Cuba testify they helped set up networks for the purpose of bringing drugs into this country and getting money back to Cuba.

It would seem to me it is in our national interest, too, regardless of who has the primary responsibility, that you have an effective deterrent to these illegal border crossings. Right now, our deterrent is less than adequate.

I think we all have to admit that we are moving in the right direction, but I certainly wouldn't say that I am satisfied. Also, I don't think most people are really satisfied.

ACTIVITIES PROVIDED BY DEFENSE DEPARTMENT

So, could you and would you assess—I am going to ask that the Customs people and Admiral Murphy, sitdown with you—what the military can reasonably provide, both now and in the future? No one wants to see us impair our military readiness. Then I think we have to know from the Customs people and the others what they need to give us as secure a border as possible and to have as meaningful a drug interdiction program as possible.

Wouldn't that be important?

General TICE. I think that we are kind of working through those arrangements now.

A couple of studies have been done, and I think the Customs witness you have here today can give you a better assessment of how their interdiction capabilities have increased.

I just think we are probably looking for something that determines what is a reasonable deterrent to those who may be presently penetrating the borders by air.

On the other hand, I would suggest that investments in intelligence probably have great payoff with respect to having information into the inner workings of those who are in the smuggling business and would perhaps lead to their arrest.

INTELLIGENCE GATHERING CAPABILITIES

Senator D'AMATO. You point out another area.

DEA abroad has literally provided intelligence gathering capabilities. That's an area that we are obviously working to enhance.

Senator STEVENS. Would you yield for a minute?

Senator D'AMATO. Certainly.

GROUNDHOG PROGRAM

Senator STEVENS. In the Secretary's statement, General, he talked about the Groundhog Program, ground radar surveillance program in training.

He said, "This program provides about 150 days coverage of the designated area."

Where are the other 205 days coming from?

General TICE. This is an augmentation of whatever the Border Patrol and Customs surveillance have there.

What we did was modify the training program for the ground surveillance radar in Fort Huachuca, AZ.

There are a lot of gaps in the radar coverage for low flying aircraft. Our air defense system is based on intelligence and we basically don't monitor aircraft which cross our borders under 10,000 feet and fly less than 180 knots.

Senator STEVENS. In the areas where we know these drug intruders are coming from, why can't we change that?

General TICE. They are working on that, sir.

There are proposals now to increase both the ground radar with a long-term interface with FAA. We have an ongoing program where Customs personnel are working in our regional control centers, one at March Air Force Base in California and the other at Tyndall Air Force Base in Florida.

RECORDKEEPING OF PRIVATE AIRCRAFT

Senator STEVENS. General, is there any coordination now with FAA and local agencies and your agency to start keeping records of who is flying these aircraft?

I think one of the real places we can start making a record of this activity is through the flight plans.

Is someone following up to require that these aircraft that you do identify, have, in fact, a bona fide flight plan?

General TICE. Yes, sir.

Senator STEVENS. And record names of pilots and crew?

General TICE. Yes, sir.

Senator STEVENS. To see if they are making fuel stops and so forth?

General TICE. The Customs witness will be able to explain that particular operation in El Paso which takes historical data on all transgressors and provides information on registered or unregistered craft, tail numbers, and the like.

They are doing a good job there. We hope that on a longer term basis they will be interfaced in these regional control centers so that we will be able to assist them in some real time information as opposed to historical data.

Senator D'Amato. Mr. Chairman, I have no further questions of the general.

ACTIVITIES OF COORDINATING COMMITTEES

General TICE. Sir, your committee should know that I sit on three coordinating committees. Almost on a daily basis I talk with Frank Monstero in the Drug Enforcement Agency, also with Neil Lageman here from the Customs Service and Admiral Venske of the U.S. Coast Guard.

We all sit on coordinating committees and we meet at least once a month. Also there is FAA's involvement. NNBIS provides the catalyst to bring those Federal agencies together so that we can exchange information and make the best use of what is available to us.

Senator STEVENS. Well, we do thank you, General.

We want you to know that we are fighting a war that is very popular in the Congress. Most of the ones that we have been involved in in recent history have not been.

So you have our absolute assurances that if we can help you get the facilities, equipment, the money, whatever you think can be used for the Department of Defense to help agencies, help the civilian agencies in this struggle, we are pleased to see that.

GREATER EFFORTS NEEDED TO COMBAT ILLEGAL DRUG TRAFFIC

Senator D'AMATO. Mr. Chairman, you know I am going to say it again.

General, I deeply appreciate the sacrifices you have made to come back in service to undertake this important war. But I have to share with you my feelings because I have been watching things and I have been pretty involved myself.

PROBLEMS WITH "TURF BATTLES"

I have the feeling that the cooperation we need to win the war against illegal drugs is being hindered by bureaucratic turf battles. There is a reluctance to go the step above and beyond the bureaucrats' short-term self-interest.

It is so critical that we have people like yourself.

We have to coordinate all our efforts. We must face whatever is necessary. We must provide whatever is needed, whether it be additional intelligence as you pointed out, or other radar equipment, but we all have to come together to share resources, knowledge, and expertise, and not to look to shift the buck.

The DEA can't shift its responsibility to the military, I understand that. The military can't just simply walk away or say we are doing six missions and that is more than we did before.

So I say that it is in this manner that this committee is attempting to approach a rather frustrating and difficult battle. We have all got to come together.

I am not under the delusion that simple border interdiction or the best border interdiction is going to solve the drug problem. In fact, it will take good border interdiction in combination with the criminal justice system, better intelligence, getting countries abroad to do their part and we also need awareness, prevention, and education in order to win.

So I just share that with you. I have not gone further because sometimes I tend to make it personal. People think that I am coming down on them, and I don't want to do that with you. I am appreciative of your efforts.

General TICE. I am sure that there is not anyone in civilian law enforcement who does not understand that.

In coming to this job—I started working almost 18 months ago and your remark about turf battles, it is not unlike difficulties we face at the office of the Secretary of Defense. Then, I found that cooperation rated on a scale of 1 to 10, was a 6 or 7 working with the other Federal agencies and ourselves.

We had some attitudinal problems, too, in the Department of Defense but today, I would give a score of anywhere between 8 to 10 on our ability to effectively cooperate among the Federal agencies as well as local law enforcement.

I guess as long as we have a republic wherein States have local jurisdiction, it is difficult to fight the total civilian law enforcement battle without full cooperation, among all agencies.

I suggest to this committee that with offices such as my own coupled with other Federal agencies that are interfacing now on this war against drugs, that we are going to make some headway. I am confident of that.

Senator STEVENS. Thank you.

Senator D'AMATO. Thank you very much.

Senator STEVENS. That is a good attitude, General. We assure you we are here to work with you.

General TICE. Thank you.

DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

STATEMENT OF NEIL LAGEMAN, DIRECTOR, OFFICE OF TACTICAL ENFORCEMENT, U.S. CUSTOMS SERVICE

INTRODUCTION OF WITNESS

Senator STEVENS. Our next witness is Mr. Neil Lageman, who is with the U.S. Customs Office.

Good morning, Mr. Lageman.

Mr. LAGEMAN. Good morning, Mr. Chairman.

Senator STEVENS. You heard the statements of Secretary Korb and General Tice and the general discussion that Senator D'Amato and I have had.

We appreciate any comments you might make or any suggestions you might make to the committee on what we could do to further the objective of the committee of making certain that the activities that are conducted by the executive branch under funds provided by this committee are totally coordinated to the absolute extent possible with the civilian agencies, particularly your service and the Coast Guard in this war against drug import.

Mr. LAGEMAN. I would be most happy to.

CUSTOMS SERVICE RELATIONSHIP WITH DOD

Like others, I have no prepared comments. I do have some comments I would like to make and they relate to the Customs Service. As a principal manager of the Tactical Enforcement Program, I have to applaud the Department of Defense for the relationship we have had with them and that is not only as to equipment with loans of the Cobras, the Blackhawks, the P-3 that is now in service with the Customs Service, but also the uncountable hours of AWACS, E-2C's and their crews' dedication, especially in the E-2C's. We have a very close relationship with their flight crews. This year alone we had over 1,200 hours of time and with excellent results.

TINKER AIR FORCE BASE OFFICE

One of the initiatives we have taken recently is we have established an office at Tinker Air Force Base to coordinate with the AWACS, E-3A.

We will have permanent personnel. Who will be dealing with DOD or at least providing briefings to all air crews, just so we can perfect the training missions where we use every bit of that time to Customs benefit.

I have been involved with law enforcement now, with the Justice, Treasury Department for almost 18 years. I am an optimist.

But the optimism, we have seen now shifts, we have a shift in labor management or personnel to technology. With our detection requirements of either airborne platforms, aerostats, lighter than air blimps, fixed-based radar, NORAD interface, I think we are in a position now to make a move on drug law enforcement and drug interdiction that we have never seen before.

WAR ON AIR SMUGGLING

I think we all take for granted, and are knowledgeable, that we are doing a very good job now but in the next year and a half with the initiatives we have, with the Citations coming on board in this month and next month, with the additional equipment coming on board, I think we are in a position to make the move, especially in air smuggling.

TACTICAL ENFORCEMENT PROGRAM

Senator STEVENS. What office do you function in as part of the Customs Service?

Mr. LAGEMAN. Director of the Tactical Enforcement Program, which is the air program and the marine smuggling program. I work directly for the assistant commissioner.

Senator STEVENS. Is your office here?

Mr. LAGEMAN. In Washington.

Senator STEVENS. What kind of facilities do you have here in this region?

Mr. LAGEMAN. Currently our regional office is in the Trade Center, thanks to some initiatives by Senator D'Amato. We are looking for a marine module in Long Island, and an air branch. I anticipate it will be operational by December, with a helicopter and fixed wing aircraft.

Senator STEVENS. Are you going to get a Blackhawk?

Mr. LAGEMAN. Yes, sir.

We have received one Blackhawk already. It is in Miami undergoing tank modifications and some other Customs modifications.

CUSTOMS SERVICE ROLE IN NNBIS

Senator STEVENS. Could you tell me in terms of this National Narcotics Border Interdiction System, what is your role in that?

Mr. LAGEMAN. I am the primary coordinating point in Customs with NNBIS for the assistant commissioner.

Basically, as General Tice mentioned, NNBIS is the catalyst in which we all get together. Informally we had done that for years and especially Customs and DOD, but now we have a formal mechanism. We have monthly meetings, et cetera.

We have six regional centers around the country that are coordinated by Customs and Coast Guard with State, local and DOD participation.

It is only involved in interdiction, it is not like the many other investigative task force investigative agencies. It is strictly to have the ability to deploy resources to meet interdiction threats.

It is just more timely and more formalized than we have seen in the past.

SUCCESS OF NNBIS IN FLORIDA

Senator STEVENS. Well, one of the reasons I am interested in this, it seems this is a new system, just about 1 year old now, it is more than 1 year old. It was successful in Florida, as I understand.

Mr. LAGEMAN. Very successful in south Florida.

Prior to coming to Washington, I was deputy coordinator of the NNBIS center in the gulf region in New Orleans, LA. Myself and Admiral Stewart established that center. We had participation from all agencies. I think we were probably one of the lead regions.

Miami, obviously, because of the threat, the impact and the thrust of the smuggling in this area, has been the lead because of the impact.

Senator STEVENS. Senator D'Amato.

INCREASED AWARENESS OF DRUG PROBLEM

Senator D'AMATO. Thank you, Mr. Chairman.

Let me first say, Mr. Chairman, to Mr. Lageman and his colleagues in the Customs Service, I think you have done an outstanding job in beginning to remedy a situation that has been neglected for years and years.

It isn't just this administration or the previous one, but for many, many years we just have not focused on this very serious problem.

I think when we finally reach a crisis, we say, my gosh, look at what has happened, smugglers are using planes, and drug dealers are on the move.

I think we are all on the road to dealing with this problem and I look forward to the arrival of this more sophisticated equipment and to the agencies and the personnel working together in closer cooperation. I think we are going to make a difference.

PRIMARY SOURCES OF DRUGS INTO UNITED STATES

I want to begin by asking Mr. Lageman to explain the major smuggling groups and methods, as you understand them, and then what we have been doing to address the influx of drugs into the New York City metropolitan area. I would also like to know what assets you believe would be required to have a higher degree of effectiveness in interdicting the air and sea traffic bringing drugs into the metropolitan area.

Mr. LAGEMAN. I think primarily looking at air routes, I think we know the primary sources of drugs are Colombia, Jamaica, Central and South America.

We have seen Mexico not necessarily back in the lead but back into a major role in marijuana smuggling, and I think we have in the air program, we have seen some of the northern Mexico strips coming back on the scene, an increased threat into the Southwest area.

Our routes are very similar in the marine. Smuggling will follow the island navigation systems. Smuggling aircraft are outfitted with Lorans. They can follow the sea navigation up to the island chains. Once they get past Cuba, they make the decision to overfly Cuba, not to violate the Cuban air space and go around west of

Cuba into the gulf, west Florida, Louisiana, Alabama, Houston, TX, or around the east end or through the Windward Passage, following the island chain again into south Florida, with the exception that the 74th parallel into what we call the New York Expressway.

They have the ability on aircraft that they have large enough tanks to either refuel in the islands or fuel up in Colombia prior to departure, have the ability to come all the way into New York.

There have been several cases right out in Long Island. There have been several cases in neighboring New Jersey, Pennsylvania, and Massachusetts. There are uncountable ones that we don't see or even know about.

We will know the activity once we get the detection platforms out there, either E-2C's, the P-3 or our own jet aircraft, we are going to have that information.

INCREASED COCAINE TRAFFIC

Senator D'AMATO. Large quantities of cocaine are coming in through or via the air routes, is that not the case?

Mr. LAGEMAN. Tremendous cases of cocaine.

I think Customs figures almost 61 percent of cocaine smuggled into the United States this year will be by private aircraft in the neighborhood of 40,000 to 50,000 pounds of cocaine.

SLOWDOWN IN SHIPMENTS DUE TO DETECTION PLATFORM

Senator D'AMATO. When they have that platform set up there off the east coast of Long Island and we get the P-3's, we will be blocking the New York Thruway—Expressway, as we call it. Do you expect to see the supplies of those drugs on the street decline noticeably?

Mr. LAGEMAN. The decline probably won't be seen that rapidly. The smugglers have a tremendous ability to shift to another mode and another manner. I think we would see some slowing of shipments.

We made some big ones recently in New Orleans, the day before yesterday, Lake Charles, 1,700 pounds of cocaine, 1,200 pounds of cocaine in Florida, 380 pounds of coke last Thursday.

When you hit loads like that, you stun them a little bit and they slow up and try to shift to another method.

I think you are going to see some increase, I think you have seen some. The prices have gone up in the last 3 months, according to DEA. That's one of the first times in the last 4 years.

RELIANCE ON INTELLIGENCE INFORMATION METHODS

Senator D'AMATO. Let me ask you this. The general indicates that intelligence is the key to the operation. We must know who is shipping illegal drugs, where they are coming in, where the point of destination is, and who the distributors are. We must get that kind of information.

Now we have increased markedly the number of new drug enforcement agents. We have increased just this year. We have doubled the number of Customs agents, with others undertaking training at the present time.

What would you say the state of intelligence is today as compared to, let's say, a year ago? What would you foresee in the future?

Mr. LAGEMAN. I don't think we are kidding ourselves to say 1 year ago, 2 years ago, we didn't have any intelligence. We could look at shifts and trends and threats and we could maybe make some adjustments that would have little or no impact on smuggling, recently, not only because of NNBIS involvement and every agency working together, but because we have taken some initiatives on our own.

Customs have been in the forefront, I think, of ferreting out tactical intelligence because we have to respond to the real time immediate intelligence.

It doesn't help us too much in deploying our boats and our aircraft to know that somebody is going to smuggle cocaine in 1986 or 1987. So what are we doing? We are now assigning program analysts to work in the office in Bogota and other foreign offices to work with the DEA agents and go through their files and be able to extract information out of the files that is tactically important, maybe a minor license number, maybe a name, like some of the cases we are getting from Colombia, just the names sometimes will lead an inspector to look at a shipment.

The timeliness of aircraft arrival and who is smuggling is important.

As Senator Stevens or the members were asking General Tice, what can we do to pull everything together. We have been for years, since the early 1970's in the mid-1970's. The initiative has been a lead with Customs and DEA involvement, now DOD, Coast Guard and so forth, pulling together all the sources available. Make sure we utilize the expertise of all.

We have taken the initiative now, we want to go to a completely automated sorting system with the FAA, DOD, Customs, local, and State, we anticipate having this within the next year or so.

AIR SMUGGLING

Air smuggling has got to be a high priority, detection technology and intelligence, which would also lead us to sort the aircraft to hopefully have a higher potential of a suspect being a violator or just a legitimate flier.

ASSISTANCE FROM CENTRAL AND SOUTH AMERICAN COUNTRIES

Senator D'AMATO. With respect to foreign governments and their cooperation in the area of drug smuggling detection and prevention, what have our results been, particularly regarding countries in Central and South America?

Let's take Colombia. How much help have they been in this area?

Mr. LAGEMAN. Customs takes the lead from the Drug Enforcement Administration in foreign intelligence. DEA is really the drug agency—we are a guest of DEA in these countries.

We have seen in the last 2 years some very positive steps by Colombia. Again, we see this through the DEA channels.

We do have an attaché in Mexico and in Panama, and we are working very closely with the DEA offices there and we do see in all three of those areas, I think, some strides. There is still a lot to do.

LINK FROM EASTERN BLOC NATIONS

Senator D'AMATO. In your view, is there a link, in terms of drug smuggling, to some of the Eastern bloc nations? I am thinking of Bulgaria and their aiding and abetting the smuggling of heroin, the East Germans and the Cubans all of those Soviet-linked nations.

Do you believe that they are still involved with smuggling heroin, perhaps through the Bulgarian Connection, although there is some question about the continued existence of that route? What is your information with regard to that?

Mr. LAGEMAN. I really wouldn't be the appropriate person to answer that. In reviewing seizures made by Customs offices, some of the transit countries and some of the countries seizures were made from would lead you to believe, but I am not directly involved in that part of the investigation or that part of the enforcement.

As far as Cuba and with enforcement experience in south Florida and Louisiana and now Washington for the last 12, 13 years, I can tell you that there is definitely involvement.

We have seen transshipment, we have seen overflights. There is more than a suspicion there.

CONTINUATION OF CUBAN CONNECTION

Senator D'AMATO. Is the Cuban Connection, in terms of drugs, one that is continuing?

Mr. LAGEMAN. I think so.

I think information that was brought out in a hearing in Phoenix last year; there was an informant that testified that he was offered considerable sums of money for transshipment from western Cuba to Mexico and across the southwestern border, both cocaine and heroin.

EFFECTIVENESS OF DETECTION DEVICES

Senator D'AMATO. How successful have the detection devices been in terms of reducing the drug shipments in specific target areas?

I am talking about the radar balloons set up in the Southeast.

What information, if any, have you been able to gather with respect to the effectiveness of these systems?

Mr. LAGEMAN. Probably the best example of some suggestion would be the amount of interdiction interceptions we make off Florida.

It is some 32 percent higher than any other place in the country because we have detection.

SENATOR D'AMATO. Thirty-two percent higher?

Mr. LAGEMAN. Thirty-two percent higher in Florida than it would be in other parts of the country.

That's primarily because we have detection. We have the balloon system. We have known flight paths, not really productive other than it gives the barrier appearance and the fliers know where the barrier is.

OPERATION OF RADAR SHIP ON THE EAST COAST

SENATOR D'AMATO. I have one final question.

With respect to the radar ship that we hope to have working on the east coast here in the Long Island area, when do we anticipate that ship will be ready for operation?

Mr. LAGEMAN. The main module, I think we are slated to have pretty well in place by April. We have contracts out at the current time. We have talked to the major manufacturers and we hope April or May it will be in place.

SENATOR D'AMATO. What kind of capability will that ship, once in place, with its high-speed chase boats, provide you that you don't have now?

Mr. LAGEMAN. A large offshore platform allowing us to go into the routes that the smugglers or international shipping takes, allows us to get offshore, gives us a radar platform of some 25-mile radius, gives intercept capability, capable interceptors with up to 60, 65 miles per hour. We do not have that right now.

Senator D'AMATO. Let me say, Mr. Chairman, that I am quite enthusiastic about the support we have from Customs, working with DEA and working with the military. As the general indicated, the Blackhawk helicopters, with your leadership, Mr. Chairman, were made available to the Customs Service.

New York has been an area which has been totally exposed with little, if any, protection. Drug smuggling has shifted from the South and the Southeast because of the balloons, the P-3, et cetera, down in that area. I believe that this is going to be a significant improvement in terms of detection and apprehension. These new systems are deterrents that we desperately need.

So, I am pleased, I am delighted to hear that we are going to have it in service sometime in April. It makes me more hopeful.

I think we are going to see some tremendous results. When we pick up an airplane out there as it comes in with a load of 600 pounds of cocaine, it doesn't tell us how many other flights have come in which have not been interdicted. A tremendous volume of drugs may be coming into this area using Long Island and other areas.

Mr. Chairman, I have no further questions. I want to commend the Customs Service and Mr. Lageman for his cooperation as it relates not only to the New York metropolitan area but to this entire battle against illegal drug smuggling.

Mr. LAGEMAN. I want to say for the record, maybe here in New York you didn't hear it, but we found just how serious this war was in the middle of October.

We lost two officers in a helicopter crash.

DRUG PROBLEMS IN ALASKA

Senator STEVENS. Yes. It does become very serious. It is serious all over the country.

When I was traveling through Alaska this year, I found an increased instance in the use of drugs in small native villages in western Alaska.

We have been working with Customs through law enforcement people in Alaska trying to see what we can do about that, too. It is a very, very serious problem.

We appreciate what you are doing. We want to offer you the same cooperation.

We know the general is available. I personally would like to see an increased use of military personnel in terms of detailing the work with civilian agencies. They can't do the arrests and they can't get involved with law enforcement, per se, but they certainly can be support personnel. They can fly the airplanes and drive the vehicles and man the radars and do the things that are necessary which would be training for them and at the same time increase the effectiveness of the law enforcement team to combat this increased flow of drugs into the country.

We want to work with you. We appreciate you taking your time to be with us.

Thank you very much.

Mr. LAGEMAN. Thank you.

SUBMITTED QUESTIONS

Senator STEVENS. We are going to keep the record open. There will be questions submitted by Senator D'Amato and I think there are other members of the committee who wish to submit questions, also.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED BY SENATOR D'AMATO

Blocking Illegal Drug Smuggling

QUESTION: Please give the committee your assessment of the current status of our effort to block illegal drug smuggling into the United States.

ANSWER: I am generally familiar with the efforts of the civilian law enforcement agencies and many of the obstacles they face in this battle against illicit drug trafficking. As an American citizen, I will not be satisfied until the battle has been won. From a DoD perspective, I am much better able to see the enormity of the task and accept any victory against drug traffickers with satisfaction. The type of commitment I see in our law enforcement agencies generates confidence. It would not be prudent, however, for me to make any further assessment of the current status of their efforts. I will be happy to assess DoD's level of contribution and our effectiveness as a supporting agency.

Management Structure

QUESTION: Are you satisfied with the present management structure of our drug interdiction effort?

ANSWER: Yes. As a resource provider, it is helpful to have requests from many agencies centralized and consolidated -- a function performed well by the National Narcotics Border Interdiction System.

Changes to Management Structure

QUESTION: Do you have any changes you would recommend to this structure?

ANSWER: I yield to the law enforcement agencies on recommended changes to the structure.

Unification of Budget Authority

QUESTION: Do you believe there should be a unification of the budget authority which supports our drug interdiction efforts at some level in the Federal government.

ANSWER: We would have no objection to such a proposal provided the funds were not in the DoD budget since the function of drug interdiction is the responsibility of the law enforcement agencies. It would appear appropriate, therefore, that the funds to suport this function appear in their budget.

Funding Structure

QUESTION: Do you believe that the way funding is provided for our interdiction efforts now meets the

Government's planning, programming, and budgeting standards for such a major effort?

ANSWER: From a DoD perspective it would appear that splitting the funds up in separate packages or line items for specific purposes constrains the flexibility of the law enforcement agencies chartered to execute the drug interdiction function.

SRI Study

QUESTION: Are you familiar with the new SRI study just completed for the Treasury Department, comparing the cost effectiveness of various surveillance options?

ANSWER: Yes, sir.

SRI Recommendations

QUESTION: In view of the seriousness of the drug smuggling problem, do you believe rapid implementation of SRI's recommendations could make a difference?

ANSWER: First, let me say that I question the SRI recommendation that an AN/APS 125 or AN/APS-138 radar should be placed in a P-3 airframe. There are several areas of concern here.

First, with regard to the E-2C, the cost-benefit SRI claims would accrue with such a configuration is dependent upon DoD's sale of E-2C's to Customs. If the cost of the E-2C to Customs was $20M, for example, the Congress would have to appropriate $20M for Treasury to pay DoD for the E-2C. It would also have to appropriate more monies for Navy to replace the sold E-2C. The actual cost of the new airplance is approximately $40M. This would hardly be a savings to the American taxpayer. Even if the E-2C were leased to Customs, DoD would still need money for a replacement aircraft.

Second, the recommendation to put an AN/APS 125 or AN/APS 138 radar into a P-3 also is questionable. In accordance with the Congress's direction, work is already underway on modifying the first of three P-3's for delivery to Customs in FY 1985. I feel that these aircraft will provide Customs valuable surveillance assets in the near term. On the other hand, developing a prototype P-3/APS 125 or APS 138 is likely to delay acquisition of surveillance assets for 1-2 years. Further, if the Lockheed contract for the P-3/APG-63 is terminated, the Navy will incur a substantial liability for Lockheed's costs to date plus a reasonable profit. I am reluctant to see Defense resources wasted in this manner.

I would also think that no decision of this nature would be made until the Customs operational evaluation of the P-3/APG 63 is completed. The results might be to everyone's liking. I understand, for example, that in December 1984, the P-3 flew less than 100 hours and that five cases were developed against drug traffickers as a result of these missions. A cost-benefit analysis would show this to be far more beneficial than using E-2C's and E-3A's for the same purpose.

Assisting DoD Efforts

QUESTION: Do you have any recommendations for Congress concerning either management or resource issues which we could address to assist you in your efforts?

ANSWER: As you know, DoD is a resource providing agency. I am convinced that the planning, funding, and execution of the mission remains the primary responsibility of the law enforcement agencies which have the training and responsibility. As for assisting DoD in our efforts, I would say that continued support by Appropriations Committees of the requests of the civilian law enforcement agencies is critical. When these agencies are adequately funded and operating smoothly, it is easier for us to help them.

Communications Problems

QUESTION: I understand there are serious communications interface problems between the enforcement agencies and the Defense Department. Basically, they don't have radios which operate on common frequencies. Are you aware of any plans, either in the enforcement agencies or in the Defense Department, to correct this situation?

ANSWER: No, I am not. But let me say that this is not just a problem between the agencies and DoD. It is common knowledge that there is a problem of communications equipment compatability between agencies and, in some cases, within the agency itself. I would think that eliminating this problem would be of greater concern than a noncompatability with DoD equipment.

Communicating Intelligence

QUESTION: Intelligence is the key to success in drug interdiciton. Are you satisfied with the present methods for communicating intelligence data to enforcement teams?

ANSWER: [Deleted].

Intelligence Data Collection

QUESTION: Are you satisified with the present methods of operation involving intelligence data collection, collation, analysis, and distribution?

ANSWER: [Deleted].

Impact of Statutes on Support

QUESTION: What impact have 10 U.S.C. 375 and 376, the provisions which limit defense assistance to the drug interdiction effort, had upon the level and kind of support the enforcement agencies have received from the Defense Department?

ANSWER: Virtualy all requests we received have

involved sharing of information, equipment loans, and expert advice which do not impact on readiness and are thereby permissible under the law.

Air agencies have maintained responsibility for drug law enforcement intervention. On occasion, we have denied a request because of an adverse impact on readiness or because it would have involved direct participation by the military. These are exceptions, however.

Possible Appeal of Sections

QUESTION: Would you like to see either of these sections amended or repealed?

ANSWER: Absolutely not. The first is based on the historic separation in this country of the military arm from the civilian law enforcement agencies. The second is critical in order to insure DoD's military might is not weakened.

International Drug Smuggling

QUESTION: Congress has heard testimony that Soviet Bloc intelligence services are involved with several major international drug smuggling rings. For example, the Bulgarian DS has been linked with the Kintex gun and drug smuggling ring used by Mahmet Ali Acga for the funds, false indentification, transportation, and arms used in the attempt of the life of Pope John Paul II. Also, there has been testimony that the Cuban DGI is involved in facilitating drug smuggling into the United States. Are you aware of these reports?

ANSWER: [Deleted].

National Security

QUESTION: Given the linkages between Soviet Bloc Bloc intelligence services and international terrorist groups, do you see a serious national security problem associated with the extremely porous nature of our borders?

ANSWER: [Deleted].

Terrorists Using Drug Smuggling Network

QUESTION: If Khomeni or Qadhafi or any other sponsors of international terrorist activity should build chemical or biological weapons, it seems to me that a small airplane flown by an experienced drug smuggler would be the ideal way to deliver such a weapon to terrorists operating inside the United States, or directly to a terrorist target inside the United States. To your knowledge, has the threat of terrorists using the drug smuggling networks to attack targets or to move people

and weapons into the United States been considered by our national security authorities?

ANSWER: [Deleted].

Association Foreign Agents/Drug Smugglers

QUESTION: Clearly, if foreign intelligence services are involved with these drug smuggling rings as it appears they are, then the networks of transportation, safe houses, finances, and weapons available to the smugglers would also be available to teams of foreign intelligence agents desiring to covertly enter the United States. Has this threat been assessed by our national security authorities?

ANSWER: [Deleted].

War on Drugs

QUESTION: Would you say that fighting the war against drugs is a high priority in the Department? Do you believe it should be?

ANSWER: Assisting those agencies that have the responsibility for this mission should be and is a high priority.

Separate Line Items

QUESTION: How would you react to Congressional direction that the Department create separate line items for DoD support for civilian law enforcement, just as we have created them for reserve and guard pay, operations and maintenance, and procurement?

ANSWER: We would, of course, adhere to the direction of the Congress, but separate line items for this purpose would create practical as well as conceptual problems for us. Separate line items would tend to delay our responsiveness to other agencies since we would have to try to position the funds in the right places, account for them separately and create an administrative framework which could only hinder effective execution.

When we are in a position to provide assistance as a byproduct of our readiness training and military capability, neither separate nor additional budget resources should be necessary. When we are in a position to provide support but require additional funding for a portion of the effort that is not within our mission responsibility, those funds should be in another agency's budget and provided to us on a reimburseable basis.

These agencies are in the best position to determine budgetary requirements for their mission.

Military Readiness

QUESTION: 10 U.S.C. 376 prohibits assistance to civilian law enforcement officials "...if the provision

of such assistance will adversely affect the military preparedness of the United States." Would you say the Department interprets this provision of law strictly?

ANSWER: We try to be reasonable in light of the intent of the Congress. We are judicious in our use of 10 U.S.C. 376 as a reason for denying a request.

Applying 10 U.S.C. 376

QUESTION: Can you explain how decisions are made regarding the application of 10 U.S.C. 376 to specific situations?

ANSWER: We get the advice of the Command which owns the assets and the JCS on readiness matters. Ultimately, it is a civilian decision based on military advice.

Security Threat

QUESTION: Given the widespread involvement of Soviet Bloc secret services in drug trafficking, such as the Bulgarian DS's operation of the Kintex gun and drug smuggling ring, and the Cuban involvement in facilitating drug smuggling into the United States, do you see evidence of a security threat to us as a result of soviet coordinated manipulation of the illegal international drug and arms trade?

ANSWER: [Deleted].

Impact of Illegal Drugs on DoD Personnel

QUESTION: What impact is the use of illegal drugs having on Department of Defense personnel, both uniformed military and civilian employees?

ANSWER: While there are no direct measures of the impact of drug abuse on DoD personnel, surveys have provided indirect measures derived from data on the prevalence and consequences of drug abuse. Drug use appears to be more likely in younger, lower-ranking individuals who have less education and are either single or are not accompanied by their spouse. Thus, Services with larger numbers of people in these categories tend to have a greater risk of drug abuse.

The self-reported frequency of diminished work performance because of drug abuse among enlisted personnel in the ranks E1-E5 decreased from 21% in 1980 to 13.7% in 1982. The subcategory "lowered performance" was reported by 10% ('80) and 6.7% ('82); "late for work" or "left work early" by 6% ('80) and 3.9% ('82); and, "high while working" by 19% ('80) and 11.8% ('82).

The reported prevalence (%) of drug abuse among a sample of enlisted personnel in the grades E1-E5 for 1980 and 1982 and DoD civilians 25 years old or younger for 1983 is shown below:

Drug	Military 1980	Military 1982	Civilian 1983
Marijuana	37	23	11
PCP	1	0.9	0
LSD/Hallucinogens	5	3	0
Cocaine	7	4	1
Amphetamines/Stimulants	9	6	3
Tranquilizers	3	2	1
Barbiturates/Sedatives	3	2	0
Heroin	1	0.7	0

Another worlwide survey of the prevalence and adverse health consequences of drug abuse among military personnel is being conducted now and updated figures will be able this fall.

Drug Route Through East Berlin

QUESTION: I understand one of the major routes for drugs to our troops in Europe is through East Berlin. Do you believe quantities of drugs could come through East Germany without the knowledge and, at a minimum, the tacit acquiescence of the GDR's security forces?

ANSWER: [Deleted].

Supporting Drug Interdiction

QUESTION: In your opinion, are the Armed Services enthusiastic about supporting the drug interdiction effort?

ANSWER: Yes, within the constraints of our current statutory limitations. To be candid, there were a few minor instances of bureaucratic resistence in the beginning, but the Secretary of Defense has made it quite clear that DoD will participate to the fullest extent under the law. The Military Services have certainly shown their enthusiasm. For example, I cite the Army initiatives in Arizona where they volunteered to modify two training courses to accommodate the needs of Customs and the Border Patrol. The modifications were made and the two civilian agencies are very pleased with the results. The Navy is particularly proud of its "ship sighting" program in which Navy personnel at sea identify possible suspect drug vessels based on criteria furnished by the Coast Guard. The Marine Corps was pleased to assist drug enforcement efforts on the Channel Islands off the California coast. The Air Force is very pleased with its participation in Operation BAT where its helicopter crews are receiving daily training in missions closely approximating their wartime missions. These crews are providing air transportation for quick insertion of Bahamian Police in drug apprehensions.

Relationship with the Services

QUESTION: How would you describe your working relationship with the individual services?

ANSWER: The overall working relationship is excellent. We have a great deal of interface with the Assistant Secretary of the Army (I&L), Assistant Secretary of the Navy (M&RA), and the Principal Deputy Assistant Secretary of the Air Force (MRA&I). We also work on a daily basis with designated staff officers in each service.

Receiving Requests

QUESTION: Please describe for the committee how you receive requests for cooperation and assistance and how you handle these requests.

ANSWER: Requests come through many channels: Federal Agencies, State/local law enforcement agencies and the National Guard. Many requests are filled at the installation level. Other requests for sophisticated equipment or manpower are directed to my office and I funnel them to the appropriate military service. When the Secretary of Defense is the approval authority for a request, the JCS are queried concerning the readiness impact of the request.

Rapid Response

QUESTION: What arrangements have been made so military assets may be quickly diverted to support civilian law enforcement's drug interdiction efforts in the event of a short notice, time-critical event?

ANSWER: Military communciations allow us to respond as promptly as is necessary. For example, we were able to move riot control foam dispensing equipment from Texaa to Florida on the same day as the request was received from the Miami Police Department.

Guidelines for Support

QUESTION: Do you have any guidelines concerning the maximum dollar value or maximum number of man hours of support you can provide to our law enforcement efforts.

ANSWER: There are no guidelines concerning the maximum number of man hours we can provide to law enforcement efforts. However, there are readiness and reimbursement constraints.

Increased Assistance

QUESTION: Would you support substantially increased assistance, so long as Congress provided the authorization and funds necessary to support it?

ANSWER: Possibly, but it is important to remember that DoD support is not just a "funding issue." DoD must look at each request based on its impact on readiness. If there is no impact on readiness we can do it. For example, with Congressional authorization and funding, the Army is in the process of contracting to purchase new C-12's and will loan six of its older C-12's to Customs.

In this case, the loan of C-12's will not impact on the Army's readiness. But take the example of a request from a civilian agency which offers to buy 10 hours of AWACS surveillance time. If flying those 10 hours would impact on readiness, the law would prohibit us from doing it -- even though we would be paid for the the flight time.

Terrorism and Drug Smuggling

QUESTION: Given the linkages between international terrorists and international drug smugglers, which is exemplified by Mehmet Ali-Agca's use of the Bulgarian secret service's Kintex drug smuggling route into Western Europe as his road to St. Peter's Square in Rome where he attempted to kill Pope John Paul II, what thought have you given the threat posed by other international terrorist piggybacking on drug smuggling networks and entering the United States?

ANSWER: [Deleted].

Smuggling Weapons over Drug Routes

QUESTION: Suppose Khomeni or Qadhafi developed a large, crude, but workable nuclear device, clearly, they'd have a much easier time buying a smuggling aircraft than they would have buying a missile to use as their means of delivering such a weapon. What consideration has the Department given to the threat of weapons of mass destruction, nuclear, chemical, or biological, being smuggled across our borders over these drug routes?

ANSWER: This is a problem which relates primarily to the openness of our borders which is a matter of concern regardless of the drug question. I would suggest that nuclear, chemical, or biological weapons used by terrorists would more likely, and at less risk to them, be developed and assembled within the confines of the United States, rather than being smuggled across our borders.

Moving Cargo and Persons Across US Border

QUESTION: Given the degrees of cooperation between Soviet Bloc intelligence services, like the Bulgarian DS and the Cuban DGI, with major international drug smuggling rings how likely is it, in your opinion, that the Soviet Union has a full understanding of how easy it is to move people and cargo across our borders without detection?

ANSWER: [Deleted].

Counterintelligence Threat

QUESTION: Does the Department view the combination of the cooperation between Soviet bloc intelligence services with drug smugglers and the ease with which people

and things can be transported across our borders illegally as a serious military weakness? A serious counterintelligence problem?

ANSWER: [Deleted].

Relationship with NNBIS

QUESTION: Please describe the nature of your working relationship with the National Narcotics Border Interdiction System.

ANSWER: We have a very cordial and professional relationship with NNBIS. With so many agencies and activities asking for DoD resources, NNBIS serves as a valuable forum to coordinate requests, eliminate redundancies or "overkill," and then forward the scrubbed list to us.

Relationship with DEA

QUESTION: Please describe the nature of your working relationship with the Drug Enforcement Administration.

ANSWER: My office has an excellent working relationship with DEA. As a matter of fact, I serve on the Law Enforcement Operations Coordination Committee chaired by Mr. Monastero of DEA.

Relationship with Customs

QUESTION: Please describe the nature of your working relationship with the Customs Service.

ANSWER: Again, our relationship with Customs is very good. We deal with that agency on almost a weekly basis.

Plan for Drug Interdiction

QUESTION: You know that to effectively interdict illegal entry into this nation using current technology, the law enforcement force requires equipment to perform three tasks: surveillance, interception, and apprehension. The equipment required to deal with illegal entry by land, by sea, and by air differs, as does the personnel and support structure required to allow it to operate. Do you believe that the other agencies involved in this interdiction effort have a clearly thought-out plan to put together those elements to accomplish our goal of stopping the flow of illegal drugs into this nation?

ANSWER: This is a complex issue requiring extensive and multiple agency coordination which is difficult given the different agency missions. The agencies are learning how to cooperate better as more joint operations occur. I would say that I have been impressed with the professionalism of the civilian agencies and the efforts now going into their planning process certainly generates confidence.

Recommendations for More Efficiency

QUESTION: Do you have any recommendations concerning management improvements or funding changes which would result in a more efficient operation?

ANSWER: Since I assumed my duties on 1 January 1984, I can see almost a daily improvement in the interagency cooperation and planning efforts. Certainly some of this improvement can be attributed to the efforts of the NNBIS and to the increased interest in the drug interdiction program by your Committee and other Congressional Committees. Since we are only a resource providing agency, obviously our support will be maximized as interagency cooperation continues to improve.

Twenty-four Hour Surveillance

QUESTION: To your knowledge, has anyone ever devised a plan to accomplish twenty-four hour surveillance of our borders and apprehension of those who enter illegally?

ANSWER: I am personally unaware of any plan, but you may wish to query the Department of Justice on this matter.

Resources for Surveillance

QUESTION: Can you make a rough estimate of the personnel, equipment, and funds such a surveillance interdiction system would require, based on current technology?

ANSWER: [Deleted].

Effectiveness of Drug Interdiction

QUESTION: In your personal opinion, do you have confidence that the present effort, at its current level of funding and manning and with its current command structure will succeed in significantly reducing the influx of illegal drugs into the United States?

ANSWER: Again, Mr. Chairman, I represent a resource provider. I have many opinions about how we in DoD can improve our support to the other agencies. To be candid, however, I try to avoid second guessing the law enforcement agencies about their business. That, by the way, is part of the reason we get along so well with Customs, DEA, and NNBIS.

Recommendations for Congressional Assistance

QUESTION: Do you have any recommendations concerning equipment, funding, or administrative direction which we could provide to assist in the drug interdiction effort?

ANSWER: I would certainly echo Dr. Korb's answer to a similar question earlier when he spoke of the

necessity for adequate funding of these law enforcement agencies.

Long Range Surveillance Capability

QUESTION: We are now supplying P-3A's, Citations, and C-12's, UH-60A Black Hawk helicopters, UH-1B Huey helicopters, and KAH-1G Cobra helicopters to the Customs Service. It appears that they could use improved surveillance capabilities, such as those provided by E-2C aircraft. Do you agree there is a need for better long range surveillance capability?

ANSWER: Again, this question should be more appropriately addressed to the law enforcement agencies. I might say, however, that the operational tests of the P-3 conducted by Customs may help to answer this question.

SRI Study

QUESTION: Have you seen the new SRI study done for the Treasury Department examining trade-offs in the surveillance area?

ANSWER: Yes, sir.

SRI Study Conclusions

QUESTION: Do you agree with the conclusions of the SRI study?

ANSWER: I agree with Dr. Korb's earlier assessment.

CONCLUSION OF HEARING

Senator STEVENS. We will recess this hearing subject to call of the Chair. We do intend to have further hearings.

Thank you very much.

[Whereupon, at 11 a.m., Wednesday, November 14, the hearing was concluded, and the subcommittee was recessed to reconvene at the call of the Chair.]

○